

Message Text

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INFO OCT-01 EUR-12 EA-12 ISO-00 PM-05 ACDA-12 CIAE-00
INR-10 L-03 NSAE-00 NSC-05 EB-08 NRC-07 OES-07
SOE-02 DODE-00 SS-15 SP-02 CEQ-01 PA-02 OIC-02
/120 W

-----001097 231813Z /53

R 231531Z FEB 78
FM AMEMBASSY VIENNA
TO SECSTATE WASHDC 5295
INFO USDOEHQ WASHDC
USDOEHQ GERMANTOWN
AMEMBASSY BRUSSELS
AMEMBASSY TOKYO

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USIAEA, USEEC

DEPT PASS IO/SCT, S/AS, AND ALL EC CAPITALS

DOE PASS AMMONS, IA

E.O.11652: N/A
TAGS: IAEA, OCON, EC, TECH, PARM
SUBJECT: IAEA BOARD OF GOVERNORS MEETING; IAEA-EURATOM
SAFEGUARDS

REF: (A) VIENNA 1233, (B) VIENNA 1358

SUMMARY: AT SOVIET REQUEST SAFEGUARDS ISSUE WAS MOVED TO
FIRST AGENDA ITEM FOR BOARD OF GOVERNORS MEETING FEBRUARY
21. STATEMENTS BY DG, FRG (ON BEHALF OF EUROPEAN COMMUN-
ITY) AND SOVIETS WERE GIVEN (AND ARE BEING AIR POUCHED TO
DEPARTMENT). DG, IN CRITICAL REPORT OF EURATOM SITUATION,
NOTED EC TELEPHONE CALL OF FEBRUARY 16 WHICH GAVE SOME
HOPE THAT PROGRESS WAS MADE ON LWRS BUT MORE CLARIFICATION
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(IN WRITING) WOULD BE NEEDED. HE REPORTED NEGOTIATIONS ON
JAPANESE SUBSIDIARY ATTACHMENTS WERE MOVING SMOOTHLY AND
QUICKLY. HE REPORTED ON SAGSI DELIBERATIONS ON DETECTION
TIME. FRG BLAMED IAEA FOR DELAY ON INTRODUCTION NEW CON-
CEPTS; ALSO MADE HEAVY PITCH AGAINST RUSHING INTO USE OF
UNTESTED DETECTION TIME REQUIREMENTS. SOVIETS BLASTED EC,
ACCUSING VIOLATION OF NPT AND SUGGESTING TAKING MATTER TO

HIGHER FORUM IF NO PROGRESS SOON. DG ANNOUNCED 60 DAY EXTENSION OF TIME TO BRING SUBSIDIARY ARRANGEMENTS INTO FORCE (EC HAD ASKED FOR 90) AND ANNOUNCED APRIL 4 SPECIAL BOARD MEETING TO CONSIDER MATTER FURTHER. END SUMMARY.

1. AT REQUEST OF SOV DEL, SAFEGUARDS ITEM WAS MOVED, WITH NO OPPOSITION, FROM THIRD PLACE UP TO FIRST PLACE ON BOARD'S AGENDA.

2. DG EKLUND'S OPENING STATEMENT ON ITEM INCLUDED REPORT ON SAGSI CONSIDERATION OF DETECTION TIME, WHICH WAS ESSENTIALLY SAME AS REPORT TRANSMITTED PARA 6 REF A.

3. AFTER BOARD CONSIDERED OTHER SAFEGUARDS ISSUES (GOV/1871, GOV/1872, GOV/1875, GOV/1876, GOV/1878 AND US PROPOSED RESOLUTION ON SSIR, REPORTED SEPTELS), DIR GEN GAVE REPORT ON STATUS OF IMPLEMENTATION OF JAPANESE AND EURATOM SAFEGUARDS AGREEMENTS.

4. RE JAPAN, HE NOTED AGREEMENT ENTERED INTO FORCE DECEMBER 2, 1977. HE REPORTED THAT FULL AGREEMENT HAS BEEN REACHED ON GENERAL PART OF SUBSIDIARY ARRANGEMENTS AND ON FACILITY ATTACHMENTS FOR ALL LWRS AND ALL LOW POWER RESEARCH REACTORS IN JAPAN. THESE WILL BE BROUGHT INTO EFFECT ON 2 MARCH (I.E. MEETING 90 DAY PERIOD CALLED FOR IN SAFEGUARDS AGREEMENT). PRELIMINARY NEGOTIATIONS ON THE OTHER FACILITIES WERE HELD AND UNCLASSIFIED

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BOTH SIDES WILL WORK AS QUICKLY AS POSSIBLE TO FINALIZE THEM. IAEA HAS RECEIVED THE INITIAL INVENTORY REPORTS FOR ALL SAFEGUARDED FACILITIES AND LOCATIONS IN JAPAN IN THE FORMAT CALLED FOR BY NPT AGREEMENTS.

5. RE EURATOM, DG NOTED AGREEMENT ENTERED INTO FORCE 21 FEBRUARY LAST YEAR AND, DESPITE THREE EXTENSIONS OF PRESCRIBED 90 DAY PERIOD, THE SUBSIDIARY ARRANGEMENTS ARE STILL NOT COMPLETED. ALL INITIAL INVENTORY REPORTS WERE RECEIVED IN FORMAT OF THE OLD EURATOM ACCOUNTING SYSTEM. ABOUT 50 OF THE EC INSTALLATIONS HAVE NOW CONVERTED TO THE NPT SYSTEM FORMAT AND ARE REPORTING TRANSFERS ON THAT BASIS. AGREEMENT ON WHAT THE ACCOUNTING PROCEDURES SHOULD BE HAS BEEN REACHED AND IT IS NOW JUST A MATTER OF EURATOM PUTTING THE AGREEMENT INTO PRACTICE.

6. DG CONTINUED THAT, ALTHOUGH FACILITY ATTACHMENTS COVERING ABOUT 226 FACILITIES AND "OTHER LOCATIONS" HAVE TO BE PREPARED, NONE HAVE BEEN FINALIZED FOR ANY OF THE MAJOR NUCLEAR FACILITIES. ATTACHMENTS FOR 28 OF 49 OF THE SIMPLE "OTHER LOCATIONS" HAVE BEEN FINALIZED HOW-

EVER. HE POINTED OUT THAT FOR 35 RESEARCH REACTORS, AGREEMENT HAS NOT BEEN REACHED BECAUSE EURATOM WILL NOT AGREE TO PERMIT AN IAEA INSPECTOR TO HAVE DIRECT ACCESS TO THE FACILITY OPERATOR. EURATOM INSISTS THAT IN EVERY CASE THE IAEA INSPECTOR COMMUNICATE ONLY THROUGH THE EURATOM INSPECTOR ACCOMPANYING HIM.

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7. REGARDING HIGHLY SENSITIVE PLANTS SUCH AS THOSE FOR REPROCESSING, ENRICHMENT, MIXED OXIDE AND HIGHLY ENRICHED FUEL OR PU FABRICATION, QUESTIONS REMAIN OPEN REGARDING DETECTION TIME, OBJECTIVES OF VERIFICATION ACTIVITIES, ACCESS TO CERTAIN DATA AND DEFINITION OF THE "JOINT TEAM".

8. REGARDING LIGHT WATER REACTORS (LWRS) DIR GEN REPORTED RECEIPT OF LENGTHY TELEPHONE CALL FROM EC THURSDAY EVENING FEBRUARY 16 (NOTHING IN WRITING WAS RECEIVED) WHICH APPEARED TO ACCEPT AGENCY'S PROPOSAL TO DRAW UP PROVISIONAL LWR ATTACHMENTS PENDING THE DEVELOPMENT, INSTALLATION AND TESTING OF SATISFACTORY SURVEILLANCE EQUIPMENT. EC APPEARED TO ACCEPT AGENCY'S PROPOSALS ON CONCLUSIONS TO BE DRAWN FROM INSPECTIONS, NUMBER OF MAN DAYS AND INSPECTION ACTIVITIES AT LWRS DURING PROVISIONAL PERIOD. IT APPEARED ALSO THAT "EURATOM WILL NOT SEEK TO IMPOSE UNDUE RESTRICTIONS ON

THE AGENCY'S RIGHTS TO MAKE CROSS-CHECKS DURING THE
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PROVISIONAL PERIOD TO VERIFY INVENTORY OF SPENT FUEL"
(SEE PARA 2 REF B).

DIR GEN NOTED THAT SINCE THE COMMUNICATION FROM EC
WAS ONLY ORAL, FULL IMPLICATIONS OF THE ABOVE AND OTHER
POINTS WERE NOT YET CERTAIN. IN ANY EVENT, HOWEVER, HE
HAS INSTRUCTED HIS STAFF THAT ALL LWR FACILITY ATTACHMENTS
SHOULD BE NEGOTIATED IN A MANNER TO ENABLE THREE MONTH
DETECTION TIME FOR SPENT FUEL ELEMENTS.

10. DIR GEN ALSO REPORTED ON RECEIPT OF A CABLE FROM EC
STATING THAT EC WAS "PREPARED TO AGREE THAT THE PERIOD
FOR THE ENTRY INTO FORCE OF THE SUBSIDIARY ARRANGE-
MENTS SHOULD BE EXTENDED" FOR ANOTHER 90 DAY PERIOD. DIR
GEN INTERPRETED THIS AS A REQUEST AND ANNOUNCED HIS
INTENTION TO AGREE ONLY TO A 60 DAY EXTENSION. HE ALSO
ANNOUNCED HIS INTENTION TO CALL A SPECIAL BOARD MEETING
APRIL 4 TO DISCUSS THIS MATTER FURTHER.

11. DIR GEN WANTED PLACED IN RECORD THAT "SECRETARIAT
HAS EXPERIENCED GREAT DIFFICULTIES IN REACHING AGREE-
MENT WITH EURATOM ON TECHNICAL DETAILS", DESPITE COMMON
OBJECTIVES OF ENSURING EFFECTIVE SAFEGUARDS ARE APPLIED
EVERYWHERE TO PREVENT PROLIFERATION OF NUCLEAR WEAPONS.
HE NOTED HOWEVER THAT COOPERATION AMONG EURATOM PLANT
OPERATORS AND IAEA INSPECTORS HAS BEEN GOOD.

12. JAPANESE DEL BRIEFLY THANKED DIR GEN FOR HIS REPORT,
EMPHASIZED GOJ INTENT TO BRING ALL FACILITY ATTACHMENTS
INTO FORCE ASAP AND REQUESTED AGENCY HELP IN THIS
ENDEAVOR.

13.
FRG GOVERNOR (LOOSCH), SPEAKING ON BEHALF OF THE EC, GAVE
LENGTHY TWO-PART STATEMENT, INCLUDING:
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A. EC ALSO ANXIOUS TO BRING SUBSIDIARY ARRANGEMENTS INTO
FORCE ASAP.

B. EURATOM'S SUPRA-NATIONAL SAFEGUARDS SYSTEM, TO ASSURE
NO DIVERSION OF CIVIL NUCLEAR MATERIALS FROM THEIR IN-
TENDED USE, CONSTITUTED EC ADOPTION OF FULL-SCOPE SAFE-
GUARDS TEN YEARS BEFORE THE NPT WAS EVEN SIGNED.

C. THE SAFEGUARDS AGREEMENTS WITH EURATOM, UK AND (AS OF

THIS MEETING) FRANCE CONSTITUTED EVIDENCE OF EC'S ATTACHMENT TO PRINCIPLES OF NON-PROLIFERATION.

D. EC RECOGNIZES THAT NEW TECHNICAL SOLUTIONS TO SAFEGUARDS PROBLEMS WERE NECESSARY IN LIGHT OF TECHNICAL ASSUMPTIONS IN 1972 AND 1973 WHICH FAILED TO MATERIALIZE. HOWEVER, THEY SEE CURRENT DELAYS DUE TO AGENCY REQUESTS FOR NEW CHARACTER AND AMOUNT OF IAEA INSPECTION EFFORT. THUS THE "AGREEMENT" REACHED IN SUMMER OF 1977 HAS BEEN COMPROMISED BY THE AGENCY PUTTING FORTH THESE NEW DEMANDS.

E. "NEVERTHELESS THE COMMUNITY HAS ALWAYS BEEN ANXIOUS TO FIND NEW WAYS AND MEANS (WITHIN THE TERMS OF THE EXISTING ARRANGEMENTS) TO REACH AGREEMENT WITH THE AGENCY, AND THEREBY TO DEMONSTRATE ITS WILLINGNESS TO SUPPORT THE STRENGTHENING OF THE AGENCY'S SAFEGUARDS WORLD WIDE."

F. AGENCY AND EC NOW AGREE ON VERIFICATION EFFORT AT LWRS, INCLUDING COMPLETE ANNUAL IAEA INSPECTIONS, SEMI-ANNUAL INSPECTIONS AND ADDITIONALLY, "TRIMESTRIAL IAEA

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SOE-02 DODE-00 SS-15 SP-02 CEQ-01 PA-02 OIC-02
/120 W

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R 231531Z FEB 78
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VERIFICATION PRESENCE ON A FIFTY PERCENT RANDOM BASIS".

G. EXPECT ABOUT 100 FACILITY ATTACHMENTS FOR RESEARCH REACTORS AND "OTHER LOCATIONS" CAN BE FINALIZED SHORTLY.

H. SOME IAEA VERIFICATION OPERATIONS HAVE BEEN CARRIED OUT SINCE THE AGREEMENT CAME INTO FORCE, EVEN IN ABSENCE OF SIGNED FACILITY ATTACHMENTS.

14. LOOSCH, STILL ON BEHALF OF EC, THEN MADE FOLLOWING POINTS REGARDING SECRETARIAT'S DESIRE TO DEVELOP CRITERIA FOR DETECTION TIME: -."

A. INFCIRC/153 ONLY REFERS TO "TIMELY DETECTION". QUANTIFICATION OF THIS "NOTION" GOES BEYOND INFCIRC/153, IS A VERY CRITICAL ISSUE OF IMPORTANCE TO EVERY STATE SUBJECT TO AGENCY SAFEGUARDS, AND MAY REQUIRE AMENDMENT OF EXISTING SAFEGUARDS AGREEMENTS.

B. THE CONSEQUENCE OF SAGSI'S DETECTION TIME PROPOSALS IN TERMS OF IMPACT ON FACILITY OPERATIONS AND ON IAEA'S UNCLASSIFIED

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SAFEGUARDS BUDGET, IS PRESENTLY UNKNOWN.

C. EC IS WILLING TO EXAMINE QUANTIFICATION TIME PROPOSALS, BUT LEGAL OBLIGATION TO ACCEPT THEM CAN ONLY COME AFTER ASSURING THEY ARE COMPATIBLE WITH REASONABLE FACILITY OPERATING REQUIREMENTS AND HAVE BEEN APPROVED INTERNATIONALLY.

D. THEREFORE, EC WANTS TO COMPLETE THE FACILITY ATTACHMENTS WITHOUT CONSIDERING ANY DETECTION TIME CRITERIA. WHEN INTERNATIONAL AGREEMENT IS REACHED LATER ON, THE ARRANGEMENTS CAN BE CHANGED TO TAKE THEM INTO ACCOUNT.

15. BULGARIAN DEL WONDERED WHY OTHER COUNTRIES DID NOT SEEM TO HAVE THESE PROBLEMS IN REACHING AGREEMENT ON SUBSIDIARY ARRANGEMENTS, NOTED EURATOM SITUATION UNPRECEDENTED, EMPHASIZED NEED FOR INDEPENDENT IAEA VERIFICATION AND HOPED FOR CHANGE FOR BETTER SOON.

16. SOV DEL (MOROKHOV) SPOKE IN CALM VOICE ABOUT SERIOUSNESS OF GROUP OF IAEA MEMBER STATES MOVING TO VIOLATE NPT. HE NOTED AGENCY SAFEGUARDS WIDELY APPLIED ELSEWHERE; WHY DOES EC REFUSE TO ACCEPT THEM? ANSWER, AS HE SAW IT, WAS THAT EC WAS TRYING TO WEAKEN AND DENY IAEA RIGHT TO APPLY INDEPENDENT SAFEGUARDS, AND THIS UNDERMINED THE NPT SYSTEM. HE SUGGESTED THAT IF EC DOES NOT ACCEPT IAEA SAFEGUARDS, THE MATTER SHOULD BE TRANSFERRED TO A HIGHER AUTHORITY.

17. CZECH DEL BEMOANED SITUATION, BLAMED EURATOM, WONDERED WHAT HJOPE THERE WAS FOR PROGRESS IN LIGHT OF EC ATTITUDE.

18. ARGENTINE DEL FOUND SITUATION CONFUSING AND ASKED DG TO CIRCULATE FOR STUDY A PAPER OUTLINING PRECISE STATUS

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OF SITUATION AND POSSIBLE SOLUTIONS.

19. AUSTRALIAN DEL EXPRESSED DISAPPOINTMENT AT FURTHER DELAY. HE URGED RESULT SOON GIVING IAEA RIGHT TO DO INDEPENDENT VERIFICATION WHILE MAKING FULLEST POSSIBLE USE OF EURATOM SYSTEM; BUT NOT TO EXTENT THAT IT WOULD WEAKEN IAEA'S ABILITY TO APPLY INDEPENDENT SAFEGUARDS ELSEWHERE. HE SUPPORTED DG'S PROPOSALS ON 60 DAY EXTENSION AND APRIL 4 MEETING.

20. ITALIAN DEL (ALBONETTI) SUPPORTED FULL STATEMENT BY FRG. HE EMPHASIZED DELAY WAS IAEA'S FAULT, NOT EURATOMS'. HE ASSURED BOARD THAT THERE WERE NO MAJOR OUTSTANDING PROBLEMS AND COULDN'T UNDERSTAND WHY ALL THE FUSS./ HE THEN GOT VERY EXCITED - YELLING AND POUNDING HIS FIST AND REPEATING HIMSELF THAT HE DID NOT WANT TO HEAR ANY MORE ACCUSATIONS THAT EC MEMBERS WERE VIOLATING THE NPT NOR ANY MORE THREATS TO TAKE THE MATTER TO HIGHER AUTHORITIES.

21. IRANIAN DEL WAS SURE THE SITUATION WAS COMPLEX AND THAT EURATOM WAS SINCERE. HE NEVERTHELESS HOPED THINGS COULD GO FASTER.

22. CANADIAN DEL WAS "VERY CONCERNED" ABOUT THE EURATOM SITUATION NOTING THAT UNTIL THE EURATOM/OAEA ARRANGEMENTS ARE COMPLETE THE CANADIAN/EURATOM SITUATION WILL REMAIN INCOMPLETE. HE WELCOMED THE DG'S PROPOSALS AND THE ARGENTINE IDEA FOR A PAPER ON THE ISSUES AND POSSIBILITIES.

23. FRG CALMLY SHARED ITALIAN VIEWS THAT ACCUSATIONS OF NPT VIOLATION WERE INAPPROPRIATE.

24. SOV DEL DIDN'T SEE THE NEED FOR SOME OTHERS TO BECOME SO EMOTIONAL SINCE HE WAS SIMPLY REPORTING "THE FACTS".

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25. JAPANESE DEL NOTED, REGARDING DIR GEN'S REPORT ON SAGSI CONSIDERATION OF DETECTION TIME, THAT JAPANESE MEMBER OF SAGSI HAD TOLD GOJ THAT SAGSI REPORT FOR ITS JANUARY 16-20 MEETING WAS NOT YET FINALIZED (THE IMPLICATION WAS THAT DG'S REPORT ON SDAGSI DELIBERATIONS HAD TO BE CONSIDERED AS PROVISIONAL).

26. GENERAL DISCUSSION APPEARED TO CONCLUDE THAT SPECIAL MEETING WASS IN ORDER. FRG NOTED THGAT IF DG WERE TO PRODUCE PAPER ON SUBJECT HE WOULD PROBABLY HAVE TO USE THE TIME OF STAFF WHO OTHERWISE WOULD BE WORKING ON COMPLETING FGACILITY ATTACHMENTS. SMITH

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: MEETINGS, NUCLEAR SAFEGUARDS
Control Number: n/a
Copy: SINGLE
Draft Date: 23 feb 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 jan 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978VIENNA01753
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D780084-0509
Format: TEL
From: VIENNA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780219/aaaaaqgp.tel
Line Count: 392
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 90dfdad0-c288-dd11-92da-001cc4696bcc
Office: ACTION IO
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 8
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: 78 VIENNA 1233, 78 VIENNA 1358
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 10 mar 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3495156
Secure: OPEN
Status: NATIVE
Subject: IAEA BOARD OF GOVERNORS MEETING; IAEA-EURATOM SAFEGUARDS
TAGS: OCON, TECH, PARM, EC, IAEA, EURATOM
To: STATE
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/90dfdad0-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014